

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/ (954)
797-1101

PREPARED BY: Lise Bazinet, Planner II

SUBJECT: Plat Application, Resolution: P 1-1-06/06-25/Townsquare
Townhomes/6651 Southwest 41st Street/Generally located on the northeast corner of
Southwest 41st Street and Southwest 67th Avenue

AFFECTED DISTRICT: District 2

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, APPROVING A PLAT KNOWN AS THE "TOWN SQUARE AT DAVIE" AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner requests approval of the plat known as the "Town Square at Davie". The proposed plat consists of 0.769 net acres (33,487 sq. ft.). The proposed plat is restricted to ten (10) townhouse units. Vehicular access onto proposed plat is provided off Southwest 41st Street and Southwest 67th Avenue.

The subject site as proposed is compatible and will tie in with the surrounding uses as the parcels to the east have received approval from the Town Council for redevelopment projects. Additionally, these proposed townhouses along Southwest 41st Street will enhance the street presence of this local road and further the redevelopment efforts of both the Town of Davie and Community Redevelopment Area (CRA).

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the July 11, 2007 Planning and Zoning Board Meeting, Mr. Busey made a motion, seconded by Mr. Pignato, to approve contingent upon staff recommendations and to

change the plat note to limit ten (10) units on the property instead of twelve (12) units
(**Motion carried 3-0**).

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following conditions:

1. Shall be subject to sufficient capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Attachment(s): Resolution, Planning Report, Plat

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
APPROVING A PLAT KNOWN AS THE "TOWN SQUARE AT
DAVIE" AND AUTHORIZING THE MAYOR AND TOWN CLERK
TO ACKNOWLEDGE THE APPROVAL BY AFFIXING THE
MAYOR'S SIGNATURE AND THE TOWN SEAL TO SAID PLAT;
AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed plat to be known as the "Town Square at Davie" was
considered by the Town of Davie Planning and Zoning Board on July 11, 2007;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN
OF DAVIE, FLORIDA:

SECTION 1. The plat known as the "Town Square at Davie" is hereby approved
subject to the conditions stated on the planning report which is attached hereto as Exhibit
"A" and made a part hereof.

SECTION 2. The Mayor is authorized to sign said plat on behalf of the Town and
the Town Clerk is directed to affix the Town seal to said plat.

SECTION 3. Any improvements required to satisfy Transit Oriented
Concurrency should be located within the Town of Davie.

SECTION 4. This Resolution shall take effect immediately upon its passage and
adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2007.

MAYOR/COUNCILMEMBER

Attest:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 2007.

Exhibit “A”

Application: P 1-1-06/06-25/Townsquare Townhomes

Original Report Date: 7/6/07

11/12/2007

Revision(s):

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:

Name: Francisco Fernandez
Casa Facil International, Inc
Address: 2103 Southwest 22nd Street, Suite 405
City: Miami, Florida 33145
Phone: (305) 271-0008

Petitioner:

Name: Toni Fandrey
Miller Legg
Address: 1800 North Douglas Road, Suite 200
City: Pembroke Pines, Florida 33024
Phone: (954) 436-7000

Background Information

Application Request: Approval of the plat known as the “Town Square at Davie”

Address: 6651 Southwest 41st Street

Location: Generally located on the northeast corner of Southwest 41st Street and Southwest 67th Avenue

Future Land Use Plan Map: Regional Activity Center (RAC)

Existing Zoning(s): RM-16, Medium High Dwelling District

Existing Use(s): One-story CBS Structure (House)

Parcel Size: 0.769 Net Acres (33,487 sq. ft.)

Proposed Use(s): Ten (10) Townhome Units

Proposed Density: 15.6 Dwelling Units/Acre

Surrounding Use(s):

Surrounding Land
Use Plan Map

Designation(s):

| | | |
|---------------|--------------------|-------------------|
| North: | Condominium | Regional Activity |
| Center (RAC) | | |
| South: | Condominium | Regional Activity |
| Center (RAC) | | |
| East: | Single-family home | Regional Activity |
| Center (RAC) | | |
| West: | Condominium | Regional Activity |
| Center (RAC) | | |

Surrounding Zoning(s):

North: PRD-20, Planned Residential Development

South: RM-16, Medium High Dwelling District

East: RM-16, Medium High Dwelling District

West: RM-16, Medium High Dwelling District

Zoning History**Related zoning history:**

Records indicate that the existing Future Land Use Plan Map designation and Zoning classification were in place at the time of annexation.

Previous requests on same property: n/a

Concurrent Request(s) on same property:

Site Plan Application (SP 3-4-06), the petitioner requests site plan approval for a development project consisting of ten (10) townhouses.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Article XII Subdivisions and Site Plans.

Land Development Code (Section 12-360(B)(1)) platting requirements.

Land Development Code (Section 12-366.1 (A) thru (D)) submission requirements for plats.

Land Development Code, Article XII of the Land Development Code, Subdivisions and Site Plans.

Land Development Code (Section 12-24 (I)(6)), the RM-16, Medium High Dwelling District is intended to implement the sixteen (16) dwelling units per acre residential classification of the Town of Davie Future Land Use Plan and the residential classification of the Town of Davie Comprehensive Plan by providing for medium-high density multiple-family dwelling districts in the Town of Davie

Land Development Code (Section 12-81(C)), *Conventional multifamily development standards*. The RM-16, Medium High Dwelling District requires a minimum lot size of 2,200 square feet and setbacks of 25 in the front, 20 in the side, and 25 in the rear. The maximum building height is 35 feet.

Comprehensive Plan Considerations**Planning Area:**

The subject site is located in Planning Area 8. This planning area is the “heart” of Davie, and is the most diverse, characterized by older, small-scale commercial development,

older single-family residential neighborhoods, and newer, large-scale multi-family residential development that serve the rapidly growing SFEC.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 99.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Future Land Use Plan, Policy 17-7: Adopted land development regulations shall continue to set forth setbacks or separation regulations, landscaping requirements, and minimum open space criteria to enhance living and working environments.

Application Details

The applicant's SUBMISSION indicates the following:

1. *Site:* The subject site consists of 0 .769 net acres (33,487 sq. ft.).
2. *Restrictive Note:* The proposed plat is restricted to ten (10) townhouse units.
3. *Access:* Vehicular access onto proposed plat is provided off Southwest 41st Street and Southwest 67th Avenue.
4. *Trails:* There are no trails designated on the master trail map in this location.
5. *Easements and Reservation:* The following easements are proposed by this plat:
 - a. Six (6) utility easement along the northern boundary line.
 - b. Ten (10) utility easement along the southern and western boundary lines.
6. *Vacations and Dedications:* The following dedications and vacations are proposed by this plat:
 - a. Eleven (11) foot right-of-way (Southwest 41st Street) dedication along the southern boundary line.
 - b. Five (5) foot right-of-way (Southwest 67th Avenue) dedication along the western boundary line.
7. *Drainage:* The subject site lies within Central Broward Water Control District. Approval from Central Broward Water Control District shall be obtained prior to issuance of any site development permit.
8. *Flexibility Rule:* The petitioner is not proposing to utilize the Flexibility Rule in accordance with this application.
9. *Waiver Request(s):* The petitioner is not requesting any waivers in accordance with this site plan application.

10. *Local Concurrency*: As required in the Land Development Code, Section 12-323, Adopted Level of Services, building permits shall not be obtained unless there is sufficient available capacity to sustain the level of service for Potable Water, Sanitary Sewer, Transportation, Drainage System, Solid Waste, Recreation, Police, and Fire.

11. *Compatibility:* The subject site as proposed is compatible and will tie in with the surrounding uses as the parcels to the east have received approval from the Town Council for redevelopment projects. Additionally, these proposed townhouses along Southwest 41st Street will enhance the street presence of this local road and further the redevelopment efforts of both the Town of Davie and Community Redevelopment Area (CRA).
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Significant Development Review Committee (DRC) Comments

These following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Engineering Division:

1. Provide six (6) foot utility easement along the north boundary to match property line to the east.
 2. Provide ten (10) foot utility easement along Southwest 41st Street and Southwest 67th Avenue
 3. Provide twenty-five (25) foot road right-of-way along Southwest 41st Street to match property to the east.
 4. Provide five (5) foot road right-of-way along Southwest 67th Avenue.
-

Staff Analysis

The proposed “Town Square at Davie” plat is required and will accommodate a proposed development project consisting of ten (10) townhouse units on the subject site. The subject site was originally platted according to “The Everglades Sugar and Land Company Subdivision” as recorded in Plat Book 2, Page 34 of the public records of Dade County, Florida.

The petitioner’s plat meets the intent of the proposed RM-16, Medium High Dwelling District. Additionally, the proposed plat is consistent and does not exceed what was anticipated in the Comprehensive Plan as it was intended residential uses. Traffic generated by the proposed development can be accommodated by the abutting roadways Southwest 41st Street and Southwest 67th Avenue. Additionally, the plat meets the Land Development Code as it relates to lot size, width, depth, and intent.

Staff finds that the proposed “Town Square at Davie” plat is in accordance with the Comprehensive Plan and Land Development Code as it relates to access, location, and size. The proposed plat can be considered compatible and will link with the surrounding redevelopment efforts in the CRA neighborhoods.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Shall be subject to sufficient transit capacity of the regional road network as determined by Broward County. In the event sufficient capacity is not met, the plat shall be deemed denied by the Town of Davie.
2. Provide the Planning and Zoning Division a Mylar copy of the plat upon recordation.

Planning and Zoning Board Recommendation

At the July 11, 2007 Planning and Zoning Board Meeting, Mr. Busey made a motion, seconded by Mr. Pignato, to approve contingent upon staff recommendations and to change the plat note to limit ten (10) units on the property instead of twelve (12) units **(Motion carried 3-0)**.

Town Council Action

Exhibits

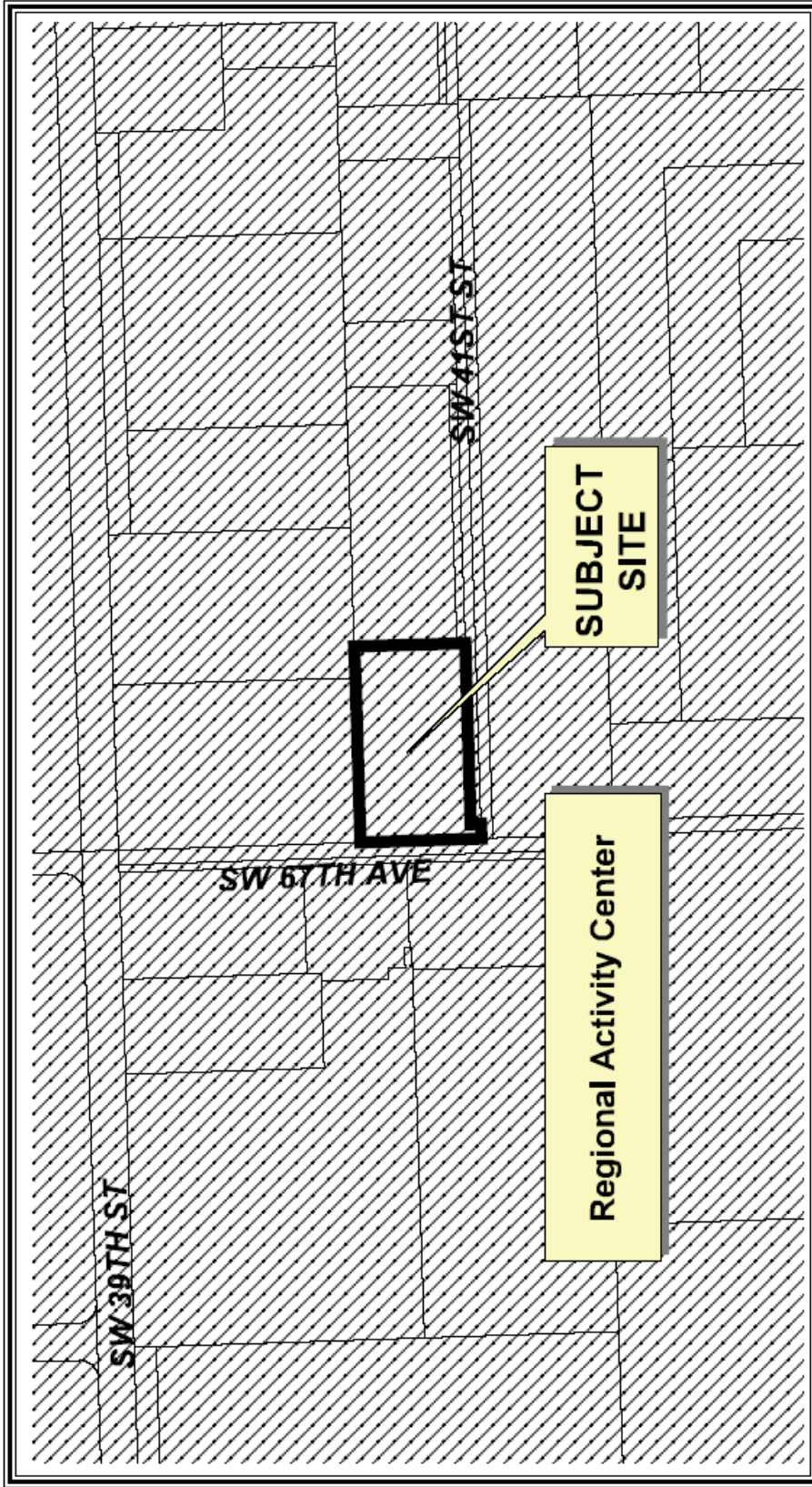
1. Future Land Use Plan Map
 2. Zoning and Aerial Map
-

Prepared by: _____

Reviewed by: _____

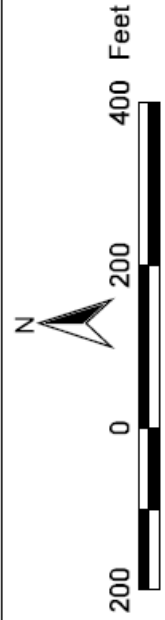
File Location: P&Z\Development Applications\Applications\P_Plat\P_06\P 1-1-06 Townsquare, Town Center Townhomes

Exhibit 1 (Future Land Use Plan Map)



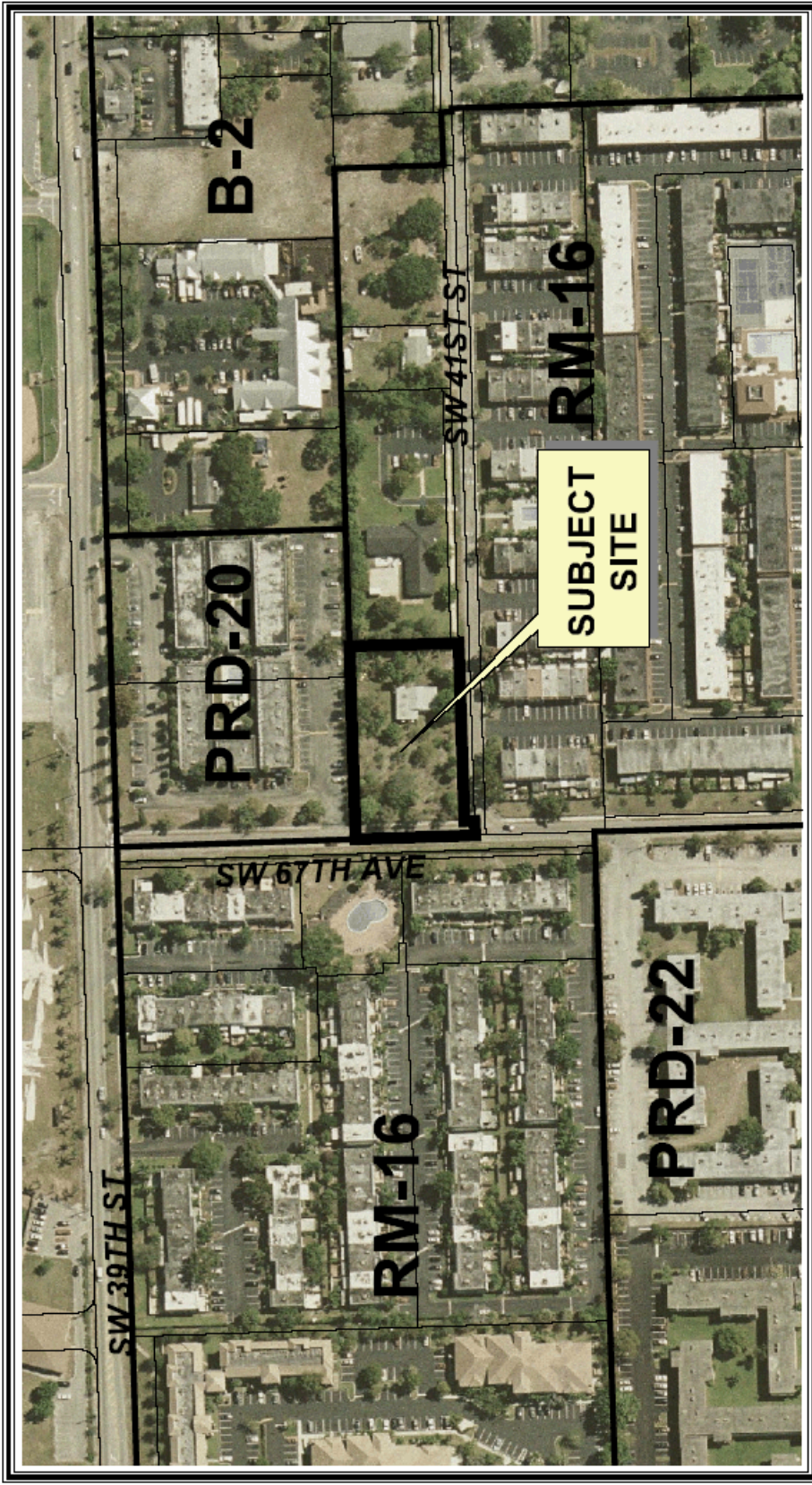
**PLAT
P 1-1-06
Future Land Use Map**

Prepared By: ID
Date Prepared: 3/21/06



Prepared by the Town of Davie GIS Division

Exhibit 2 (Aerial, Zoning, and Subject Map)



Date Flown:
12/31/04



Prepared by the Town of Davie GIS Division



PLAT
P 1-1-06
Zoning and Aerial Map

Prepared By: ID
Date Prepared: 3/21/06

